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Attorneys for Use-Plaintiff Spenard Builders Supply, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA, AT ANCHORAGE

UNITED STATES OF AMERICA for the
use and benefit of SPENARD BUILDERS
SUPPLY, INC.,

Use-Plaintiff,

vs.

ST. PAUL FIRE AND MARINE
INSURANCE COMPANY and its Payment
Bond No. TC6016,

Defendant.

Case No. 3:05-cv-00287-RRB

PROPOSED ORDER DENYING
DEFENDANT'S MOTION TO
STAY LITIGATION PENDING
ARBITRATION

This matter having come before the Court upon Defendant's Motion To Stay
Litigation Pending Arbitration dated April 7, 2006 and having considered Use-Plaintiff
Spenard Builders Supply, Inc.'s Opposition thereto and being fully advised in the
premises;

IT IS HEREBY ORDERED that Defendant's Motion to Stay Litigation Pending Arbitration is DENIED.

DATED this ____ day of _____, 2006, at Anchorage, Alaska.

Timothy M. Burgess
Judge of the U.S. District Court

I hereby certify that on April 26, 2006
a copy of the foregoing was served
electronically on:

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s/Grant E. Watts